

ENTERED

October 26, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION

CHERYL WELLS,

**Plaintiff,**

V.

**ANDREW M. SAUL, Commissioner of  
Social Security,**

## Defendant.

**Civil Action No. 6:20-CV-00014**

## ORDER ACCEPTING MEMORANDUM AND RECOMMENDATION

Pending before the Court is the June 10, 2021 Memorandum and Recommendation (“M&R”) signed by Magistrate Judge Julie K. Hampton. (Dkt. No. 19). In the M&R, Magistrate Judge Hampton recommends that the Court: (1) deny Plaintiff Cheryl Wells’s Motion for Summary Judgment, (Dkt. No. 14); (2) grant the Commissioner of Social Security’s Motion for Summary Judgment, (Dkt. No. 18); and (3) dismiss Wells’s appeal of the Commissioner’s decision denying her application for Social Security disability benefits.<sup>1</sup>

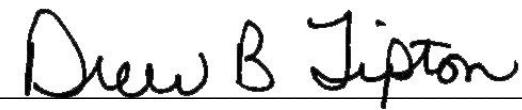
The Parties were provided proper notice and the opportunity to object to the M&R. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). No party filed objections. As a result, review is straightforward: plain error. *Guillory v. PPG Indus., Inc.*, 434 F.3d 303, 308 (5th Cir. 2005).

<sup>1</sup> A federal "court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner of Social Security, with or without remanding the cause for a rehearing." 42 U.S.C. § 405(g).

No plain error appears. Accordingly, the Court **ACCEPTS** the M&R as the Court's Memorandum Opinion and Order. The Court **DENIES** Plaintiff Cheryl Wells's Motion for Summary Judgment. (Dkt. No. 14). The Court **GRANTS** the Commissioner of Social Security's Motion for Summary Judgment. (Dkt. No. 18). Finally, the Court **AFFIRMS** the decision of the Commissioner of Social Security.

It is SO ORDERED.

Signed on October 25, 2021.

  
Drew B. Tipton  
DREW B. TIPTON  
UNITED STATES DISTRICT JUDGE